

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

1) DORIS YOUNG)	
)	
Plaintiff)	
)	
v.)	Case No. 4:22-cv-68-JFH-CDL
)	
1) HOME DEPOT, U.S.A. INC.,)	
a/k/a THE HOME DEPOT, a foreign)	
For-profit Corporation,)	
)	
Defendant)	

NOTICE OF REMOVAL

Defendant Home Depot U.S.A. Inc. a/k/a The Home Depot (“Home Depot”) removes this action to the United States District Court for the Northern District of Oklahoma pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 based on the following:

1. On January 7, 2022, Plaintiff filed their Petition in *Doris Young v. Home Depot, U.S.A, Inc., a/k/a The Home Depot, a foreign for-profit corporation* Case No. CJ-2022-00077, in the District Court of Tulsa County, State of Oklahoma. (Exhibit 1, State Court Docket Sheet)

2. Plaintiff Doris Young, at the time of the filing of the lawsuit in state court and at the time of removal, are individuals and residents of Tulsa County, Oklahoma

3. At the time of the filing of Plaintiff’s Petition and at the time of this Notice of Removal, Defendant Home Depot is a Delaware corporation with its principal place of business in Atlanta, Georgia.

4. Plaintiffs are demanding an amount in controversy, exclusive of interests and costs, in excess of \$75,000, the jurisdictional minimum prescribed by 28 U.S.C. § 1332(a). (Exhibit 2, All Pleadings Filed of Record).

7. This Notice of Removal is premised on this Court’s diversity jurisdiction under 28

U.S.C. § 1332(a).

8. This Notice is procedurally proper because Defendant Home Depot timely filed this notice within 30 days of receiving Plaintiff's Petition in accordance with 28 U.S.C. § 1446(b); complete diversity exists under 28 U.S.C. § 1332(a) as Plaintiff and Defendant are citizens of different states, and the amount in controversy exceeds \$75,000, exclusive of interest and costs, under 28 U.S.C. § 1332(b) based upon Plaintiff's Petition alleging damages in excess of \$75,000.

9. Defendant is providing Plaintiff with written notice and is concurrently filing a copy of this Notice with the District Court of Tulsa County, State of Oklahoma, pursuant to 28 U.S.C. § 1446(a) and (d).

10. Under 28 U.S.C. § 1441, a defendant may remove the action to the district court of the United States for the district and division embracing the place where the action is pending. Plaintiffs filed their Petition in Tulsa County, Oklahoma, so this case is removable to the District Court for the Northern District of Oklahoma.

WHEREFORE, Defendant Home Depot U.S.A. Inc. a/k/a The Home Depot hereby removes this action from District Court of Tulsa County, Oklahoma, to the United States District Court for the Northern District of Oklahoma.

Respectfully submitted,

/s/ Brynna Schelbar Phillips
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Brynna Schelbar Phillips, OBA #21348
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**ATTORNEYS FOR DEFENDANT
HOME DEPOT U.S.A. INC. A/K/A THE HOME
DEPOT**

CERTIFICATE OF SERVICE

I hereby certify that I electronically transmitted the attached document to the Clerk of Court using the ECF Systems for filing and transmittal of a Notice of Electronic Filing to the following ECF Registrant:

W. Chad McLain
Rachel E. Gusman
Graves McClain, PLLC
4137 S Harvard Ave Ste. F
Tulsa, OK 74135

/s/ Brynna Schelbar Phillips